

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 30, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OLAJIDE ADEL FLETCHER,

Petitioner,

v.

TOM JONES,

Respondent.

No. 2:22-cv-00187-MKD

ORDER DISMISSING HABEAS
CORPUS PETITION

On October 19, 2022, the Court advised Petitioner Olajide Adel Fletcher of the deficiencies of his Petition for a Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254 and gave him the opportunity to show cause as to why this Court has jurisdiction to consider his claims and why he is entitled to federal habeas relief. ECF No. 3. Petitioner has paid the \$5.00 filing fee. Respondent has not been served.

Specifically, in its Order to Show Cause, the Court noted that it is unclear whether Petitioner is currently in custody and thus, whether this Court has

1 jurisdiction to consider his Petition. ECF No. 3 at 4. The Court also indicated
2 that it is unclear whether this Court has personal jurisdiction over the named
3 Respondent. *Id.* at 2. The Court cautioned Petitioner that failing to show cause as
4 to why this Court has jurisdiction to consider his claims and why he is entitled to
5 federal habeas relief would be construed as Petitioner's consent to dismissal of
6 this action. *Id.* at 9. Petitioner did not show cause as directed and has filed
7 nothing further in this action. For the reasons set forth above and in the Court's
8 October 19, 2022 Order, ECF No. 3, the Court dismisses the Petition.

9 According, **IT IS HEREBY ORDERED:**

10 **1. The Petition, ECF No. 1, is DISMISSED WITHOUT PREJUDICE.**

11 **2. The Clerk's Office is directed to ENTER JUDGMENT for Respondent**
12 **and CLOSE this file.**

13 **3. The Court certifies that an appeal from this decision could not be taken in**
14 **good faith and there is no basis upon which to issue a certificate of**
15 **appealability. See 28 U.S.C. §§ 1915(a)(3), 2253(c); Fed. R. App. P.**
16 **22(b).**

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